

M/D 1

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA**RECEIVED:**

Elijah Coleman) 2008 FEB 15 A 9:41
 Full name and prison name of)
 Plaintiff(s)) BEBRA P. HACKETT, CLK
 v.) U.S. DISTRICT COURT
ALA. DEPT. OF CORRECTION) MIDDLE DISTRICT OF ALA. NO. 2:08CV109-F
WARDEN JONES) (To be supplied by Clerk of U.S. District
W.R. Donaldson Corr. Fac.) Court
Lt. Jones, En R. Knudtson
Capt. Gordy, T. Keys
A.M. Herzog
 Name of person(s) who violated your
 constitutional rights. (List the names
 of all the persons.)

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES No

B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES NO

C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.) *writ of habeas,*

1. Parties to this previous lawsuit:

Plaintiff(s) Elijah ColemanDefendant(s) Kibby's Warden Hottes, Atty.
GENERAL, State of Alabama

2. Court (if federal court, name the district; if state court, name the county)
U.S. District Court for the Middle
District of Alabama.

L. lawsuits (2)

1. Parties to previous lawsuit:

Plaintiff, Elijah Lakeman

Defendants, State of Alabama, City, County, State
Legal Officials, Employees, Appointed
Attorneys,

2. Court: United States District Court for the
Middle District of Alabama

3. Docket No. 2:07-LV-535-ID

4. Name of Judge case was assigned: U.S. Magistrate
^{SUSAN R. WALKER}

5. Disposition: pending dismissed as untimely and
filed to early before resolution.

6. Approximate date of lawsuit filing: July, 07

7. Approximate date of disposition: pending Nov. 07

3. Docket number 2:07-LV-534-MHT

4. Name of judge to whom case was assigned U.S. Magistrate
Frank Wallace Lopez, Jr.

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) dismissed
w/o prejudice for lack of exhaustion | may appeal

6. Approximate date of filing lawsuit July 2007

7. Approximate date of disposition Sept. 2007

II. PLACE OF PRESENT CONFINEMENT W.F. Donaldson Correctional
Center, 100 Warrior Lane, Bessemer, Alabama 35023

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED Same as II.

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME	ADDRESS
1. Warden Kenneth L. Jones - Commissioner	Bessemer, AL, 35023 WEDCF, 100 Warrior Lane
2. State of ALA/Dept. of Corr. -	
3. Lt. Jones	11 13
4. Officer B. Knowton	11 11
5. Capt. Gordy	11 11
Off. T. Keys (A.W.) Hazel (Assist Warden)	11 11
6.	

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED Aug. 19, 2007

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: Prison Poorly | unjustly managed by unscrupulous | lazy
staff, creating danger for all inmates | society | staff.
The REAL SAFETY, SECURITY HAZARDS.

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.) RULE #62, REGULATION # H03

STAFF'S ACTIONS REFLECTED IN AUG 19, D7 INCIDENT REPORT (FILE # 07-1057 BY OFFICER BRANDON KNOWLTON, AGAINST PETITIONER, INSTIGATED BY A PARANOID INMATE, WHO MANIPULATED A GROUP ATTACK ON PETITIONER (AIDED BY STAFF WHO OPENED LOCKED -^{3A}) (CONT.) GROUND TWO: STAFF ENCOURAGED SET-UP SITUATIONS FOR VIOLENCE AMONG PRISONERS, IGNORES CONVICTION POLICIES, DUE PROCESS, INMATE RIGHTS

SUPPORTING FACTS: STAFF VIOLATED DUE PROCESS RIGHTS BY DICTATING THEIR RAPE POLICIES, NEGATING MY REQUESTS AND THE POLICIES OF A FAIR DUE PROCESS. NO WITHHELD CALLED (DENIED BY HEARING OFFICER KEYS) FOR PETITIONER, AS REQUESTED, (2) KEY WITHHELD WHO KNEW I WAS IN MY DESIGNATED HELL (A 23) WITH THE DOOR (^{3B}) (CONT.)

GROUND THREE:

SUPPORTING FACTS:

Supporting facts Cont..

Lds. (1) Cont... Cell of petitioner for non-assigned attackers) and ignored attack in dark cell. Incident was false on its face (ignored by the lack of investigation). Inmate Smith who quoted report to staff (citing himself as sole attacker) to protect his co-attackers, reported to witnesses that he saw nothing, but was following words from "original instigator" (who was not sought). So the report is based on hearsay speculations. Smith was not in the shower. (as reported) He could not see room A-9 from the showers in a unit. Staff misinterpreted a statement petitioner made as admitting to incident. Training officer took word of staff in guilty verdict and Seg. punishment. Staff was too lazy, unwilling to do their public paid jobs and truly provide safety, follow policies, protect rights/lives by investigating reports in intelligent, unbiased ways. THERE WAS NO MASTURBATING towards shower with door open. Inmate Smith attacks and lies to gain gang incentives. After release from gang attack on petitioner, he and others were re-segregated for attacking someone else. Staff believed Smith over the [REDACTED] ignored the and allowed another attack that included Smith. Staff has ignored other attackers? Ignored truth/fairness, why? Staff that opened cell door for attackers (name unknown)

Lds (2) Cont... looked when attackers arrived, were not called, sought or questioned. Staff didn't want to or didn't have the intelligence to see through the common inmate smoke screens of deception.

H. Jones called the names, placed me in Segregation so that attacker and I would be out for shoulders to attack each other again but attacker couldn't get any support for another attack. H. Jones came to petitioner's seg. (Segregation) cell and told inmates that inmate Smith had busted my hand. H. Smith takes every opportunity to instigate, tell others about the false report and stating "I was lucky I didn't get killed," so he knows the seriousness of the issue. So his acts are intentionally designed to spark violence among inmates.

Capt. Gordy told attacker that "he was doing staff's job" by attacking me. (Although staff in "2 block" made no reports of seeing me do none of the acts listed in incident report by Knowton, who was not in the unit.) Other staffers approved the report, completely ignoring its contradictions and the fact it could not have happened as speculated and should have been dismissed. Staff acts so unprofessional, uncivilized in following policy. requests, letters to Warden ignored

LEGAL MATERIAL delayed because of the lazy Notary SERVICE, for those in Segregation units (ESPECIALLY "W") NO legal library SERVICES ARE PROVIDED, NO LEGAL SUPPLIES. The (2) PER WEEK Stamps (41 cent stamps) for legal material mail is rarely picked up in "W"-SEG. UNITS. Also bulky legal notation, copies, etc., legally required, is also delayed (for those who cannot afford stamps) BECAUSE it has to be mailed in parts, spread out OVER WEEKS, to comply with the postage limit.

I was placed in SEG. with INMATE staff knew was a studied / MEDICALLY TREATED MENTAL PSYCHOTIC. ONE OF US COULD HAVE SERIOUSLY HARMED THE OTHER. INMATE ALSO homeboy of ATTACKERS. STAFF'S DANGEROUS TO ALSO THEMSELVES AND SOCIETY BECAUSE THINKING NEVER SEEMS A PRIORITY, WITH RESULTING CONSTANT FIGHTS / VIOLENCE BET-WARN STAFF AND INMATES, IN A SYSTEM SO VOID OF PROPER, LEANING LEADERSHIP THAT SERIOUS MENTAL HABITS ARE CULTURED AND PARMED BACK INTO SOCIETY, INCLUDING AIDS, AS HOMOSEXUALITY IS SEEMingly, OPENLY ENCOURAGED, IN A SYSTEM REPORTEDLY INFESTED WITH AIDS, OTHER SPREADABLE ILLNESSES.

The incident listed in this complaint NEVER happened, but taken as gospel by staff, EVEN AFTER I GAVE THE HEARING OFFICER KAYS A WRITTEN STATEMENT EXPLAINING THE DECEPTION IN REPORT. THEY IGNORE POLICIES' FAIRNESS TO SUPPORT EACH OTHER'S DECEPTIONS. I WAS PLACED IN SEG. AND REMAINED UNTIL FUTURE "CORRECTIONS" ARE MADE TO PREVENT REPEATED RIGHTS VIOLATIONS.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

~~Klear Incident Report from RKKD w/ written apology for D.O.C.
DATE INMATE ATTACKERS ON FEB 15, 2007 \$100,000 per month
from Aug. 19, 07 to date all STAFF MEMBERS INVOLVED ARE
TERMINATED AS EMPLOYEES OF THE ALABAMA DEPT. OF CORRECTIONS
that Feliks followed rights respected or lazy disrespecting
STAFF TERMINATED. Plus Atty., Shire, Court last, etc. fees,~~

Elijah Coleman
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true
and correct.

EXECUTED on Sept. 15, 2007.
(Date)

Elijah Coleman
Signature of plaintiff(s)

Elijah COLEMAN
250079 (W-29)
Donaldson Lorr. Fox,
100 Warrior Lane
Bessemer, ALA. 36023



OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
P.O. BOX 711

Montgomery, ALA.

36101-0711

1-7-08

LEGAL

36101-0711 EDDOT

LEGAL